

1 CEspinosa.SVF

2 LEONARDO M. RAPADAS
3 United States Attorney
4 RUSSELL C. STODDARD
5 First Assistant U.S. Attorney
6 Sirena Plaza, Suite 500
7 108 Hernan Cortez Avenue
8 Hagatna, Guam 96910
9 Telephone: (671) 472-7332
10 Telecopier: (671) 472-7334

11 Attorneys for United States of America

FILED
DISTRICT COURT OF GUAM

MAR - 3 2006 *ap*

MARY L.M. MORAN
CLERK OF COURT

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF GUAM**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER M. ESPINOSA
and BRIAN WILLIAM ELM,

Defendants.

CRIMINAL CASE NO. 05-00053

**UNITED STATES'
[PROPOSED]
SPECIAL VERDICT FORMS**

COMES NOW the United States and provides the proposed Special Verdict Form for use
concerning defendants, CHRISTOPHER M. ESPINOSA and BRIAN WILLIAM ELM.

Respectfully submitted this 32 day of March, 2006.

LEONARDO M. RAPADAS
United States Attorney
Districts of Guam and NMI

By: 

RUSSELL C. STODDARD
First Assistant U.S. Attorney

ORIGINAL

1
2 **IN THE UNITED STATES DISTRICT COURT**
3 **FOR THE DISTRICT OF GUAM**
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5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 vs.

8 CHRISTOPHER M. ESPINOSA
and BRIAN WILLIAM ELM,

9 Defendant.
10

CRIMINAL CASE NO. 05-00053

SPECIAL VERDICT FORM

11 **COUNT 1 - CONSPIRACY TO DISTRIBUTE METHAMPHETAMINE**
12 **HYDROCHLORIDE**

13 We, the Jury, in the above-entitled action, hereby FIND the defendant, CHRISTOPHER
14 M. ESPINOSA: Violation of Title 21, United States Code, Sections 841(a)(1),(b)(1)(A)(viii)
15 and 846:

16 / / NOT GUILTY

17 / / GUILTY

18
19 as charged in Count 1 of the Third Superseding Indictment.

20 1. If you find the defendant CHRISTOPHER M. ESPINOSA guilty as charged in Count
21 1 of the Third Superseding Indictment, do you unanimously find beyond a reasonable doubt that
22 the controlled substance that defendant CHRISTOPHER M. ESPINOSA conspired to distribute
23 was methamphetamine hydrochloride?

24 _____ Yes

25 _____ No

1 2. If you find beyond a reasonable doubt that the controlled substance CHRISTOPHER
2 M. ESPINOSA conspired to distribute was methamphetamine hydrochloride, do you
3 unanimously find beyond a reasonable doubt that the total amount of methamphetamine
4 hydrochloride defendant CHRISTOPHER M. ESPINOSA either directly distributed or agreed,
5 understood, or reasonably could have foreseen would be distributed by other co-conspirators in
6 furtherance of the conspiratorial agreement was:

7 _____ at least 50 grams or more of methamphetamine hydrochloride;

8 OR

9 _____ at least 5 grams but less than 50 grams of methamphetamine
10 hydrochloride;

11 OR

12 _____ a detectable amount but less than 5 grams of methamphetamine
13 hydrochloride.

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15 DATED this _____ day of March, 2006, at Hagatna, Guam.

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17 FOREPERSON
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3 **IN THE UNITED STATES DISTRICT COURT**
4 **FOR THE DISTRICT OF GUAM**
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6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 vs.

9 CHRISTOPHER M. ESPINOSA
and BRIAN WILLIAM ELM,

10 Defendant.
11

CRIMINAL CASE NO. 05-00053

SPECIAL VERDICT FORM

12 **COUNT I - CONSPIRACY TO DISTRIBUTE METHAMPHETAMINE**
13 **HYDROCHLORIDE**

14 We, the Jury, in the above-entitled action, hereby FIND the defendant, BRIAN
15 WILLIAM ELM: Violation of Title 21, United States Code, Sections 841(a)(1),(b)(1)(a)(viii)
16 and 846:
17

18 / / NOT GUILTY

19 / / GUILTY

20 as charged in Count 1 of the Third Superseding Indictment.

21 1. If you find the defendant BRIAN WILLIAM ELM guilty as charged in Count 1 of
22 the Third Superseding Indictment, do you unanimously find beyond a reasonable doubt that the
23 controlled substance that defendant BRIAN WILLIAM ELM conspired to distribute was
24 methamphetamine hydrochloride?

25 _____ Yes

26 _____ No
27

2. If you find beyond a reasonable doubt that the controlled substance BRIAN WILLIAM ELM conspired to distribute was methamphetamine hydrochloride, do you unanimously find beyond a reasonable doubt that the total amount of methamphetamine hydrochloride defendant BRIAN WILLIAM ELM either directly distributed or agreed, understood, or reasonably could have foreseen would be distributed by other co-conspirators in furtherance of the conspiratorial agreement was:

_____ at least 50 grams or more of methamphetamine hydrochloride;

OR

_____ at least 5 grams but less than 50 grams of methamphetamine hydrochloride;

OR

_____ a detectable amount but less than 5 grams of methamphetamine hydrochloride.

DATED this _____ day of March, 2006, at Hagatna, Guam.

FOREPERSON